



APR 1965

MEMORANDUM FOR: Deputy Director of Central Intelligence

SUBJECT: Agency Views - Automatic Data Processing
Legislation

REFERENCE: Memorandum to DDCI, dated 27 March 1965,
Same Subject

1. This memorandum contains a recommendation for your approval in paragraph 2.

2. The referenced memorandum recommended that you sign a letter to Chairman Dawson, House Government Operations Committee, setting forth the Agency's views on H.R. 4845, automatic data processing equipment legislation. That letter cleared the Bureau of the Budget and was presented to the Government Activities Subcommittee and discussed with the Chairman, Congressman Jack Brooks (D., Tex.), and the Staff Administrator, Mr. Ernest C. Baynard.

3. Congressman Brooks and Mr. Baynard were appreciative of the position we took with respect to the DCF's responsibilities in our letter, which, with one addition, supported the position taken by the Department of Defense with respect to the proposed legislation. However, they suggested we disassociate ourselves from DOD since they wished to help us and intended to go hard on DOD.

4. As to the question of a specific exemption for the Agency, they are reluctant to do this because they feel it would open the door for a flood of requests for exemptions. Further, they take the position that a statutory exemption is not necessary because the bill provides that the program will be run at Presidential direction and under Bureau of the Budget policy guidance. They expect that the Executive can put his own house in order under these provisions. Nevertheless, Mr. Baynard offered to make specific reference to the Director's statutory responsibilities in the Committee report accompanying the bill and said we could review that statement in draft before the report is printed.

5. We have already discussed with the Bureau of the Budget the possibilities of our submitting a substitute letter, and they have no objections. Under these circumstances, it is felt that a substitute letter would be in our best interests.

6. In the substitute letter we have recast our original position so that it can be presented on an independent basis and not tied to DOD. However, we still maintain that there is a potential conflict between the Administrator's proposed authorities and responsibilities and the Director's responsibility to protect intelligence sources and methods and Agency organization from unauthorized disclosure. The substitute letter recommends language to assure that the Director's responsibilities are not subordinated to those of the Administrator, GSA.

7. In addition, we are initiating action with the General Services Administration and the Bureau of the Budget to obtain assurances for necessary Agency exemptions from the proposed or other similar legislation.

8. It is recommended that you approve the release of the attached letter requesting BOB clearance of our revised report to Chairman Dawson on H. R. 4845.

s/ John S. Warner

JOHN S. WARNER
Legislative Counsel

Attachment

Orig and 1 - Addressee OGC/LC Subject
1 - Executive Director OGC/LC/LLM:rm (6 April 1965)
1 - ER
1 - DDP
1 - DDS
1 - DPI
1 - DDS&F

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